

This section does not apply to the right of the City Manager to determine whether and when a vacancy shall be filled.

Section 13.2 Reemployment

The names of the probationary and regular employees who have been laid off shall be placed on a reemployment list for their classification in order of seniority.

When a reemployment list is used to fill vacancies, the rules under "Section 12 Employment Lists" of this Memorandum of Understanding shall be followed in the utilization of the list.

Section 14. Resignation and Reinstatement

Section 14.1 Resignation

An employee wishing to leave the competitive service in good standing shall file with the department head, at least 2 weeks before leaving the service, a written resignation stating the effective date and reasons for leaving. The resignation shall be forwarded to the City Manager with a statement by the department head or supervising official as to the resigned employee's service performance and other pertinent information concerning the cause of resignation. Failure of the resigning employee to give 2 weeks notice shall be entered on the service record of the employee and may be cause for denying future employment by the City. If the employee is a department head, the written resignation shall be filed with the City Manager.

Section 14.2 Reinstatement

A regular employee who has resigned in good standing may be reinstated to a vacant position of the same classification as the previous position within a period of 2 years from the effective date of resignation. Reinstatement shall be made at the salary step recommended by the department head and approved by the City Manager.

Section 15. Demotion and Transfer

Section 15.1 Demotion

The City Manager may demote an employee whose performance of required duties falls below standard, or for disciplinary purposes. No employee shall be demoted to a position for which the employee does not possess the minimum qualifications. Three days written notice shall be given the employee before the effective date of the demotion.

Section 15.2 Transfer

An employee may be transferred from one position to another position in the same or comparable classifications upon direction of the City Manager after consultation with the employee. No employee shall be transferred to a position for which the employee is not qualified.

Section 16. Overtime and Premium Pay

Section 16.1 Overtime

Authorized work performed by classifications other than those listed in "Section 17.4 Management Leave" shall receive pay or compensatory time at the rate of one and one-half times the employee's regular rate for authorized work performed in excess of eight (8) consecutive hours, or those beyond the employee's regularly scheduled hours, whichever is greater, in any one (1) day (exclusive of lunch period). Absent extenuating circumstances, all overtime must be approved in advance by a supervisor

Except in the event of an emergency, an employee who leaves the workplace due to injury or illness shall not be eligible for overtime, call back, or standby pay until the employee's next regularly-scheduled workday.

(a) An employee of the library, whose regularly scheduled working hours do not provide for two (2) consecutive regular days off within a seven (7) day work period shall be paid a five percent (5%) premium to the regular straight-time rate of pay for each hour actually worked on the day which would regularly constitute one of two consecutive days off.

(b) Employees in the classification of Field Supervisor may choose whether to receive Management Leave as outlined in Section 17.4, or overtime. Such choice shall be effective March 12, 2001, and may be altered before July 1, 2001 for the next fiscal year. The employee's choice as of July 1, 2001, shall govern for the duration of this agreement. New employees hired into this classification after March 12, 2001, shall receive Management Leave.

Section 16.2 Call Back

An employee recalled to work outside of and not continuous with regularly the employee's scheduled hours shall be paid a minimum of 2 hours at the rate of one and one-half times the employee's regular straight-time rate of pay. An employee shall not receive additional two-hour payments for multiple call backs which occur within one two-hour period. The classifications listed in Section 17.4 are not eligible for call-back compensation.